

Observations.

Since 1913 there has been a regular diminution in the output of coal, and for the current year it is probable that the output will be 47½ million tons less* than in 1913. The number of workers has increased by 64,000.

The cost of production has considerably increased, principally because of the diminution in output.

HOLLAND.

Production.

	Undergr. Workers	Surface Workers	TOTAL	Output Tons(1000 k.)
1914	7,374	2,524	9,898 (1)	1,928,540
1915	7,622	2,649	10,271 (1)	2,262,148
1916	9,226	3,240	12,466 (1)	2,656,087
1917	10,922	4,106	15,028 (1)	3,007,925
1918	12,904	5,346	18,250 (1)	3,399,512
1919	15,636	6,529	22,165 (2)	3,400,239

(1) On the average. (2) End of December.

INTERNATIONAL LABOUR
OFFICE

GENEVA

Studies and Reports

Series A

No. 8

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The International Labour Organisation : A Comparaison.

Now that the International Labour Organisation is well established, it is of interest to look back to its origins and to note what a remarkable advance it represents in the development of international government. The idea of an international standard in labour legislation is almost as old as labour legislation itself. The more progressive employers as well as the workers have demanded it for a century, and the Governments of most industrial countries have been sympathetic to the idea at least since 1890, when the first official International Conference on labour regulation was held at Berlin. That Conference was attended by Government representatives from Germany, Austria-Hungary, Belgium, Denmark, Spain, France, Great Britain, Italy, Luxemburg, the Netherlands, Portugal, Sweden and Norway (then united), and Switzerland. It adopted standards concerning the employment of women and children work in mines. Sunday work and inspection. But no conventions were then drawn up, nor were any further official Conferences held for 15 years, though in the meantime several unofficial Conferences had been organised, and the International Association of Labour Legislation had been created for the express purpose of bringing about the regulation of labour conditions by international agreement. At the instigation of the Association the Governments met again in 1905 to consider two subjects only — the use of white phosphorus and the night work of women. Conventions were successfully drafted by the Conference and a diplomatic Conference held the following year duly confirmed them. The Night Work Convention was signed in the first instance on behalf of only 14 Governments, and the Phosphorus Convention on behalf of only 7. In 1914, there were only 11 countries which had ratified the former and 11 colonial states which had adhered through their mother countries ; and there were 10 direct signatories to the latter.

These Conventions were welcomed by the International Association as a satisfactory beginning. But the next few years

revealed serious difficulties arising from the diplomatic procedure through which alone the Conventions could be brought into being. The Association put forward two more subjects for consideration in 1908, namely the 10-hour day for women and boys and the prohibition of the night work of boys. But it was not until 1913 that the Swiss Government succeeded in bringing the Governments together to consider Conventions on these questions. Thus five years were wasted in mere diplomatic feelers and pourparlers. When eventually the official Conference met, it became clear that the existing procedure was doomed to failure. There was no life in the Conference. The officials showed no zeal for the subjects with which they had to deal. No employers' or workers' representatives were present, not even a representative of the International Association of Labour Legislation could be permitted to attend as such. The very moderate proposals of the Association were whittled down so as to conform as nearly as possible to existing laws. The result was so disappointing that an agitation was beginning in the ranks of the International Association to secure the withdrawal of the conventions as drafted, rather than their ratification in what was regarded as an entirely unsatisfactory form. Such was the position upon the outbreak of the War.

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The new position arising from the establishment of the International Labour Organisation associated with the League of Nations is entirely different. That Organisation was set up by Part XIII of the Treaty of Versailles. In place of occasional *ad hoc* official Conferences convened through the channels of diplomacy at considerable difficulty and attended only by official and diplomatic personages, the new Organisation establishes a regular annual Conference consisting of representatives of employers and workers as well as of Governments. It is true that delegates to the Annual Conferences are still theoretically appointed by their Governments. But only two of the four representatives to which each country joining the Organisation is entitled may be nominated in fact by the Government. The other two, representing respectively employers and workers, must be "chosen in agreement with the industrial organisations, if such organisations exist, which are most representative of employers and workpeople, as the case may be, in their respective countries."

Another very important point to notice is that these delegates do not vote by countries, they vote as individuals. Even the two Government delegates of a country need not invariably vote in agreement. The Conference does therefore possess some characteristics of an international legislative body set up to

deal with one special subject, and elected as to one-half of its members by Governments and as to the other half by the organisations directly concerned in the subjects discussed. It presents also an interesting feature not common in national legislatures, but peculiarly well adapted to an international body which would become unwieldy through numbers were every country at liberty to send sufficient delegates to represent adequately the various aspects of industrial regulation. The system of advisers gives a desirable elasticity and latitude to the scheme without overburdening the Conference. Each delegate may be attended by two advisers for each item on the Agenda. These advisers may either speak when called upon to do so by their delegate, or the delegate may put an adviser in his place to act and vote for him entirely at any session. By this means each subject can be dealt with by persons well versed in it. This is a great advantage, for instance, in connection with questions of women's labour upon which women advisers can act even if no women are actually appointed as delegates.

Turning to the powers of the Conference, we see that these are not as complete as those of an international legislature. The Conference cannot adopt conventions which are automatically enforceable in all the countries concerned. But, nevertheless, the Conference has powers in this respect wider than those previously given to any international body. If a Draft Convention is adopted by a two-thirds majority of the delegates voting independently at a meeting at which at least half the total number of delegates is present, that Convention must be submitted to the "competent" national authority of each country, for action within one year, or, in special cases, 18 months. Each country is necessarily left to determine what is the "competent" authority to deal with the Draft conventions. This provision represents a compromise between the principle of making the Conference merely an advisory body and that of endowing it with full legislative powers. It is true that if a national Legislature rejects a Convention or a Bill to bring the terms of a Convention into operation, the country concerned bears no further responsibility; but the fact that every Convention must be brought forward for public discussion in every country, even those whose delegates may have voted against it, is of very great importance and guarantees that public opinion in the several countries will weigh and pass upon the merits of every Draft Convention voted by the International Labour Conference. Suggestions have been made that the Conferences should be endowed with full legislative powers. This proposal involves very difficult constitutional questions, and is impossible to carry into effect in the present state of political organization. Lack of time alone would have been sufficient to prevent the Commission of the Peace Conference, which drafted the scheme of the International Labour Organisation, from dealing with this question fully. But the fact that that Commission did adopt,

by a majority, a resolution recommending that wider powers should be given eventually to the Conferences, indicates the probability that this question will be brought up again at a later date.

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It is not only annual Conferences under the new International Labour Organisation which mark a great advance in comparison with former arrangements. The establishment of a permanent International Labour Office to carry out the instructions of the Conference and prepare for its annual Sessions is in theory only a development of the International Labour Office established at Basle by the International Association for Labour Legislation. But in practice the contrast is striking. The Basle Office was supported chiefly by small subsidies from various interested Governments. The largest subsidy it received was from Switzerland, namely, 12,000 francs per annum, and the total expenditure did not exceed 80,000 francs a year, while the staff consisted only of a Director and five or six assistants. A periodical Bulletin of labour laws was published in French and German and afterwards also in English and from time to time a special report on some subject would be issued (for instance, a report comparing the systems of inspection in the different countries). Instead of this pseudo-official organisation—which did excellent work with the very limited funds at its disposal—we now have a permanent International Office governed by a body consisting of representatives of Governments, employers and workers chosen in the same proportion as the delegates of the Conference. Instead of leading a hand-to-mouth existence from precarious subsidies, as was the fate of the old Office at Basle, the new Office will be financed from the general funds of the League of Nations. Although it does not give the League any power to control or limit the expenditure of the Office, the Treaty of Versailles requires the Secretary-General of the League to pay to the Director of the Office the expenses both of the Office itself and of the meetings of the Governing Body and the Conference.

Another aspect of the question must not be overlooked and that is the imposition of penalties for breaches of Conventions. Under the old system, there was no penalty attached to negligence in carrying out the terms of a Convention nor was there any international body capable of keeping watch upon the actions of the various States in this connection. In contrast to this, a system of supervision is set up. On receiving a complaint from a Government or an industrial association of employers or of workers to the effect that one of the members of the Organisation is failing to carry out a Convention, there are two

methods of procedure open to the Governing Body of the Office. It may, in the first place, merely communicate with the Government concerned, and, if not satisfied with any explanations given, may publish the correspondence. If the complaint is made by one of the members of the organization, the Governing Body is not bound to communicate with the Government concerned at all. It may proceed direct to the second method of dealing with alleged contraventions, that is to say, apply forthwith to the Secretary-General of the League of Nations for the appointment of a Commission of Inquiry to investigate the matter. The members of a Commission of Inquiry, three in number, are chosen from a triple panel of representatives of workers, representatives of employers, and persons of independent standing having industrial experience, nominated three from each country. The States concerned are bound to place at the disposal of the Commission all information bearing upon the subject matter of the complaint. The Commission has to report and suggest what measures, if any, of an economic character against the defaulting Government would be appropriate to the circumstances. If the Government concerned fails to mend its ways, the other members of the Organisation may apply the economic penalty recommended. Even if the International Labour Office should fail to take action, any member of the Organisation may refer an allegation of breach of faith in observing a Convention to the Permanent Court of International Justice set up by the League of Nations, which may likewise impose economic penalties. Of course a country penalized for breach of faith in failing to carry out the terms of a labour Convention duly adopted can withdraw from the League, but such action might be regarded as analogous to jumping out of the frying-pan into the fire.

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The new Labour Organisation has now been in existence long enough to enable our comparison to be carried beyond the actual form of the old and the new machinery for bringing an international standard of labour legislation into being. We can already compare achievement. The first meeting of the Annual Conference was opened at Washington on the 29th October, 1919, under very inauspicious circumstances. The League of Nations was not then formally established. The debate in the American Senate on the question of accepting the Peace Treaty and the League of Nations was causing an acute domestic controversy in the United States. The strongest champion of the International Labour Organisation in America, namely, President Wilson, lay ill and was unable to play any part at all in connection with the Conference. But in spite of these difficult circumstances, the Conference was a triumphant success.

It was attended by delegates from 39 different countries (afterwards increased to 40 by the admission of Finland), and had the German and Austrian delegates (invited by a nearly unanimous vote immediately the Conference opened) been able to arrive in time, the number of countries represented would have been 42. It is striking to compare these numbers with those of the attendance at the International Conference of 1913 at which only 14 countries were represented and all of these from Europe. It is even more extraordinary to compare the output of the Washington Conference with that of the old official and diplomatic Conferences.

In 13 years the International Association for Labour Legislation, with its Office at Basle and the assistance of the Swiss Government acting through diplomatic channels, succeeded in inducing a small group of countries to conclude two conventions and to meet to discuss two other proposed conventions which were never ratified. In a session of 1 month the new International Labour Conference brought into being 6 draft conventions, some on highly controversial subjects, and made 6 recommendations. Where the 46 officials assembled at Berne in 1913 needed 10 days (15th September-25th September) to produce 2 draft conventions only, the 123 delegates at Washington, vitalised by the presence of representative employers and workers, produced their 6 draft conventions and 6 recommendations within a month (October 29th-November 29th), in addition to discussing a variety of other subjects relating to the composition of the Conference, standing orders and so forth. Nor was the work at Washington hasty or superficial. The goodwill of the Delegates, their determination to achieve practical results, was shown by the zeal and energy they threw into their work. Employers and workers would assemble for group discussions before the regular sittings began, or in the evenings. The special Commissions sat daily, and sometimes twice a day. Sometimes a Commission would meet even while a full session was in progress. This was especially the case with the 8-Hours Day Commission, the discussions on which were the most protracted and difficult of all.

Moreover, the business of the Washington Conference was complicated by the necessity to make special provision for backward countries. The constitution of the International Labour Organisation provides that "in framing any recommendation or draft convention of general application the Conference shall have due regard to those countries in which climatic conditions, the imperfect development of industrial organisation, and other special circumstances make the industrial conditions substantially different, and shall suggest the modifications, if any, which it considers may be required to meet the case of such countries." In drawing up draft conventions for presentation to the full Conference, the various Commissions had, therefore, to make special provision for Japan, India, and other backward countries.

For the 8-hour day question, a separate Commission on Special Countries was appointed, the recommendations of which were afterwards embodied in the draft convention drawn up by the Commission on the 8-hour day. The result was a great triumph for labour legislation in Japan. Unrepresented at the old official conferences of pre-war times, Japan appeared at the Washington Conference with a full delegation, numerous advisers, secretaries, and interpreters, making a party of over 50 persons, who gave proof in every respect of their real concern for the subjects discussed. Very important results were achieved in consequence. Japan is in a transition period between the old craft system and modern industrialism. A majority of the Conference agreed that she could not be expected to advance in a couple of years as far as countries which had been developing their system of industrial law for half a century. This was the view taken by the Japanese Government delegates and employers' representative, but the Japanese workers delegate claimed the full benefit of the eight hour day for Japanese workers immediately and vigorously opposed the inclusion in the convention of special exceptions for Japan. The compromise finally reached, with the approval of the Japanese Government Delegates, represents a relatively greater advance for Japan than for almost any other country. They consented to reduce their present working week of 93 hours in the silk industry to 60, and to introduce a 57-hour week in other industries. For young persons under 15 and all underground workers in mines the 48-hour week is accepted. The Japanese Government delegates also agreed to the introduction of a weekly rest of 24 hours—a very important point for Japanese workers, for whom the European's Sunday rest is not an established institution.

The details of the draft convention on the 8-hour day and of the other 5 draft conventions (on unemployment, the night work of women, the employment of women before and after confinement, the employment of children, and the night work of young persons), and the six sets of recommendations have been fully treated elsewhere, and need not be repeated here. They represent not only a beginning in International Labour Legislation, but a beginning on a sound basis, and a beginning with regular continuation in prospect. The Governments represented at the Conference are bound to submit them for ratification. Any countries which fail to do so, or to carry them out adequately, have not only to take account of possible economic penalties, which will doubtless be reserved for very flagrant cases. Far more important is the fact that their delegates must run the gauntlet of adverse criticism every year at the General Labour Conference. Nor is it only the workers' delegates who will be severe critics on those occasions. Employers will not be willing to overlook slackness of administration in rival industrial countries. There will be no possibility of hushing up contraventions or evasions, or veiling them over with protracted

diplomatic pourparlers. It will be necessary to answer accusations brought forward in public debate. It is the representative side of the new Organisation which creates its strength, and the fact that the Conferences will be held in public every year. Even while the Conference is not in session, the International Labour Office will be kept alive to public opinion through its representative Governing Body, half of the members of which are elected respectively by the employers' and workers' groups at the Conference.

The work begun at Washington was continued the following year at the second International Labour Conference which met at Genoa. On this occasion the conditions of work of seamen were alone discussed. Three draft conventions were adopted, namely one fixing the minimum age for admission of children to employment at sea, one concerning unemployment indemnity in case of loss or foundering of the ship, and one establishing facilities for finding employment for seamen. The Conference also drew up four recommendations.

It is true that the Genoa Conference was less successful than that of Washington in so far as it did not succeed in adopting draft conventions or recommendations on all the subjects on the Agenda. After long and often vehement debates a two-thirds majority could not be procured for a draft convention to apply the eight hour day to merchant ships. But it cannot be said that the Conference contributed nothing towards the solution of this problem. At meetings held at Genoa before the Conference opened, both ship-owners and seamen declared in favour of a policy so unyielding that it appeared very unlikely to be possible to reconcile the two opposing views. The ship-owners rejected entirely the idea of any international regulation of hours of work at sea, while the seamen demanded not only the 8-hour day but also the 48-hour week with a weekly rest of 24 hours, which would have made it necessary for ships making long voyages to take extra men to work on Sundays. The first sittings of the Commission on the 8-hour day merely revealed the wide gulf between the two points of view and it was feared that the debates would result in a dead-lock. Nevertheless a week later the seamen, faced with the difficulties of the problem, decided to accept a compromise; they declared that they would give up the rigid application of the 8 and 48 hours rule and would consent to consider it only as "the standard to be aimed at" in the words of the Treaty of Peace; from that moment, thanks to the conciliatory attitude of the Government Delegates, the Commission succeeded in agreeing upon a draft convention to be submitted to the full conference. This draft did not finally secure the two-thirds majority necessary for the adoption of a

draft convention under the Treaty of Peace, but there were 48 votes for it, as compared to 25 against. This important majority, which included 26 Government votes and even the votes of three employers together with those of the 19 workers, was sufficient to endow the work of the Commission with very great historic importance. It is essential that public opinion should not insist upon definite immediate solutions of all the problems placed upon the Agenda of the Conference. This would tend to hasty decisions, the economic effects of which might be disastrous to its prestige.

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This incident has not had any tendency to check the activities of the International Labour Organisation. Other subjects are in active preparation for the Conference of 1921, which will deal with the agricultural question (regulation of hours of work, unemployment, the work of women and children technical education, living-in conditions, right of association, protection against accident, sickness and old age), the use of white lead in painting, the prevention of anthrax, the weekly rest day, and certain questions concerning the employment of children at sea. This full programme includes only a small proportion of the suggestions brought forward at Washington for consideration at future Conferences. So great was the number of subjects proposed that the Conference thought well to refer to the Governing Body the final selection from amongst them. Their number and variety is a token of the vitality of the Conference and a hopeful indication of the future that lies before the whole organisation. But vitality in the Conferences is not enough. This vitality must permeate also the individual countries which are members of the Organisation. The international Labour Organisation must be worked in to the texture of the national life of each of its members. Its prestige must be so firmly established in public opinion, that its decisions are accepted without question. This depends almost entirely upon the goodwill of the two main constituents of the Annual Conferences namely, the employers and workers of the world. If they are agreed that conditions of labour should be based on international standards, no Government will be found to object. Nor is the form of Government, or the manner in which society is organised in any State, material to the working of the International Labour Organisation. So long as manufacturing processes are continued there will be danger of industrial disease and accident, there will be need for knowledge as regards the physical and economic effects of particular arrangements of working hours, of breaks for rest, of holidays, and it will be necessary to collate, compare and discuss in world conferences the knowledge and experience of all parts of the globe. Repre-

representatives form every kind of State—Kingdoms, Republics, Socialist States, Communist States—can meet under the elastic constitution of the new International Labour Organisation, and agree upon standards of working conditions for the benefit of the people of the whole world. Goodwill alone is essential to the fulfilment of the ideals of the Labour Organisation. The Washington Conference gave substantial promise that goodwill among men of different races and nationalities, which has been conspicuously absent from so many International Conferences in the past, is not only attainable, but that it is in process of realisation.

Studies and Reports already issued:

1°) In English and in French.

COAL PRODUCTION IN THE RUHR DISTRICT. Enquiry by the International Labour Office, end of May 1920. (Series B No 1, issued on September 1st, 1920.)

STAFF REGULATION ON THE FRENCH RAILWAYS. (Series D No 1, issued on September 4th, 1920.)

THE CONSUMERS' CO-OPERATIVE SOCIETIES IN 1919. (Series H No 1, issued on September 8th 1920.)

SEVENTH CONGRESS OF THE BELGIAN CO-OPERATIVE OFFICE. (Series H No 2, issued on September 25th, 1920.)

THE AGREEMENT BETWEEN THE SPANISH WORKERS' ORGANISATIONS. (Series A No 1, issued on September 25th, 1920.)

INTERNATIONAL CONGRESS OF WORKERS IN THE FOOD AND DRINK TRADES. (Series A No 4, issued on October 11th, 1920.)

THE MINERS' INTERNATIONAL. (Series A. No 7, issued on October 19th, 1920.)

2°) In English only (1).

ANNUAL MEETING OF THE TRADES UNION CONGRESS 1920. (Series A. No 3, issued on October 4th, 1920.)

THE BRITISH GOVERNMENT AND THE MINERS' FEDERATION OF GREAT BRITAIN. (Series A. No 5, issued on October 13th, 1920.)

3°) In French only (1).

LE CONFLIT DES MÉTALLURGISTES EN ITALIE. — LE CONTRÔLE SYNDICAL DANS L'INDUSTRIE. (Series A. No 2, issued on September 25th, 1920.)

DOCUMENTS RELATIFS AUX PROJETS D'ORGANISATION INTERNATIONALE POUR LA RÉPARTITION DES MATIÈRES PREMIÈRES OU DES DENRÉES ALIMENTAIRES. (Series B No 2, issued on October 5th, 1920.)

LE CONGRÈS DE L'INTERNATIONALE OUVRIÈRE ET SOCIALISTE. (Series A. No 6, issued on October 14th, 1920.)

(1) In cases where the French or English text of a Report has not yet been published, it will be issued at a later date.

INTERNATIONAL LABOUR OFFICE GENEVA

Studies and Reports

Series A

No. 9

October 22th, 1920.

The International Congress of Metal Workers.

The International Federation of Metal Workers held its eighth congress at Copenhagen from August 20th to 26th.

This Federation, which is one of the most important of the organisations affiliated to the International Federation of Trade Unions at Amsterdam, has seen its membership increase from 1,100,000 members in 1914 to 2,500,000 at the end of 1919.

It publishes a monthly bulletin, "The International Metal Workers' Review" in three languages, the circulation of which was maintained during the war by the help of the Swiss and Danish Trade Unions.

The Copenhagen Congress, which was the first held since 1913, had, as its principal object, the reorganisation of the International Federation. The Secretariat had continued in Germany during the war but the activity of the Federation had been interrupted by the refusal of the British organisations to continue relations with the German and Austrian organisations, even through neutrals.

Although the date of the Congress had been twice postponed not all of the affiliated organisations were present. Consequently the Congress was not as representative as might have been wished. Discussion was, however, carried on with interest, and important resolutions were adopted.

The most difficult question, that of the transfer of the seat of the Federation to a neutral country and the appointment of fresh officers, gave rise during the opening days to long discussions both in committee and in plenary session. There were times when agreement on these essential points seemed doubtful.

A resolution on international relations which was to mark out a clear course for the future gave rise to a long discussion at the end of which the various points of view were so harmonised that a unanimous vote was secured.